

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 18**

**and**

**Cases 08-CD-135243**

**NERONE & SONS, INC.**

**and**

**LABORERS' INTERNATIONAL UNION  
OF NORTH AMERICA, LOCAL 310  
Party in Interest**

**INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 18**

**and**

**08-CD-143412**

**R.G. SMITH COMPANY, INC.**

**and**

**LABORERS' INTERNATIONAL UNION  
OF NORTH AMERICA, LOCAL 310  
Party in Interest**

**INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 18**

**and**

**08-CD-147696**

**KMU TRUCKING & EXCAVATING, INC.  
SCHIRMER CONSTRUCTION CO.  
PLATFORM CEMENT, INC.  
21st CENTURY CONCRETE CONSTRUCTION, INC.  
INDEPENDENCE EXCAVATING, INC.**

**and**

**LABORERS' INTERNATIONAL UNION  
OF NORTH AMERICA, LOCAL 310  
Party in Interest**

## **ORDER<sup>1</sup>**

The Respondent's request for special permission to appeal the May 3, 2016 order of Administrative Law Judge David I. Goldman is denied. The Respondent has failed to establish that the judge abused his discretion by granting the Charging Parties' April 22, 2016 motion in limine.

Dated, Washington, D.C., July 12, 2016

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

LAUREN McFERRAN, MEMBER

---

<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.